IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Steven M. Utter Attorney Docket: Customer No.:

6030-021 29,335

Serial No.: 09/358,280 Examiner: C. Kim

Filed: July 21, 1999 Art Unit: 3752

Title: Portable Mist Cooling Device

Certificate of Electronic Transmission

I certify that this document (along with any documents referenced as being included herewith) is being transmitted on this the October 10, 2006 to: Mail Stop Amendment, Commissioner for Patents, P.Q., Box 1450, Alexandria, VA 22313-1450

Lori Dunham

Mail Stop Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

AMENDMENT AND RESPONSE TO NON-FINAL OFFICE ACTION

Dear Sir:

Applicant submits this Amendment in response to the non-final Office Action mailed on July 10, 2006.

Amendments to the Claims begin on page 2 of this paper.

Remarks/Arguments begin on page 6 of this paper.